

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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U S P A T E N T & T R A D E M A R K O F F I C E  
Applicants : Kiyoshi NAKAYAMA et al.

Group Art Unit : 1624 ✓

Appl. No. : 09/842,234

Examiner : Deepak R. RAO

Filed : April 26, 2001

Confirmation No. : 7436

For : DRUG EFFLUX PUMP INHIBITOR

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir :

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§ 1.97-1.98, and supplemental to the Information Disclosure Statements filed on March 5, 2004 and September 12, 2002, Applicants bring to the Examiner's attention the following applications:

U.S. Patent Application No. 10/110,771 to LEGER et al., which was filed on August 28, 2002, which is the National Stage Application of International Patent Application No. PCT/JP00/07565 (which has published as WO 01/30757).

Applicants note that International Patent Application No. PCT/JP00/07565 is a Continuation-in-Part of U.S. Patent Application No. 09/428,466, which was filed on October 28, 1999 and is presently abandoned.

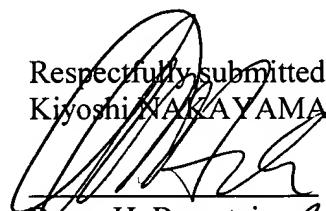
Copies of the above-noted two U.S. Patent Applications are enclosed herewith, as they have not yet been submitted in an Information Disclosure Statement in the present application. WO 01/30757 has been submitted has previously been submitted in the Information Disclosure Statement filed September 12, 2002.

Moreover, upon review of the Supplemental Information Disclosure Statement file March 5, 2004, it was noted that Japanese Laid-Open Patent Publication No. 2000-224998 was listed incorrectly on the Form PTO-1449 as 2002-224998. Moreover, S. NISHIGAKI et al., Chemical Pharm. Bulletin, 1975, Vol. 23, pp. 3170-3177 included incorrect page numbering. Accordingly, a corrected Form PTO-1449 is submitted herewith.

Applicants note that because the applications are not publications, the applications are not being listed on a Form PTO-1449. The examiner is requested to consideration these application as well as any documents cited therein at the Patent and Trademark Office.

Applicants note that a Request for Continued Examination (RCE) was filed in the present application and an Office Action on the merits has been received since the filing of the RCE. Therefore, Applicants believe that no fee is necessary to ensure consideration of this material. However, if any fee is necessary, the undersigned hereby authorizes the charging any fee necessary to ensure consideration of this disclosure statement, including any payment under 37 C.F.R. §1.17 (p), to Deposit Account No. 19-0089.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
Kiyoshi NAKAYAMA et al.  
  
Bruce H. Bernstein  
Reg. No. 29,027

April 15, 2004  
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P20938.A15

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Form PTO-1449		U.S. Department of Commerce Patent and Trademark Office		Atty. Docket No. P20938		Serial No. 09/842,234								
<b>INFO</b> <b>INFORMATION DISCLOSURE STATEMENT</b> <b>BY APPLICANT</b> <small>(Use several sheets if necessary)</small>				Applicant K. NAKAYAMA et al.										
				Filing Date April 26, 2001		Group 1624								
<b>U.S. PATENT DOCUMENTS</b>														
EXAMINER INITIAL	DOCUMENT NUMBER			DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE						
	4	7	7	2	5	2	10/11/88	SLUSARCHYK et al.						
<b>FOREIGN PATENT DOCUMENTS</b>														
	DOCUMENT NUMBER			DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES      NO						
	0	2	0	8	7	5	8	9	11/07/02	W.I.P.O.				
	0	1	/	3	0	7	5	7	05/03/01	W.I.P.O.				
200	2	-	1	2	8	7	6	8	05/09/02	JAPAN				
	5	4	1	4	4	3	9	7	11/10/79	JAPAN				
200	0	-	2	2	4	9	9	8	08/15/00	JAPAN				
	6	1	0	9	2	5	9	7	05/10/86	JAPAN				
	9	8	/	1	7	6	2	5	04/30/98	W.I.P.O.				
	9	6	/	3	3	2	8	5	10/24/96	W.I.P.O.				
	1	-	2	2	7	0	8	4	07/31/02	E.P.O.				
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>														
	1	English Language Abstract of JP 2002-128768.												
	2	Sadao Nishigaki et al., Chemical Pharm. Bulletin, 1975, Vol. 23, pages 3170-3177.												
	3	English Language Abstract of JP 2002-224998.												
	4	English Language Abstract of JP 61-092597.												
	5	Biseibutsugaku Handbook Henshu linkai Hen, Biseibutsugaku Handbook, Kabushiki Kaisha Gihodo, 25 December 1957 (25.12.57), pages 1230-1233.												
EXAMINER						DATE CONSIDERED								
<small>*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</small>														